

REMARKS

The Office Action dated November 18, 2003 has been reviewed and carefully considered. Claims 1-8 remain pending, of which the independent claims are 1, 2 and 6. The allowance of claim 2 and the indication by the Examiner of allowable subject matter for claims 4 and 5 is appreciated. Reconsideration of the above-identified application in view of the following remarks is respectfully requested.

Claims 1, 3, 6 and 7 stand rejected under 35 U.S.C. 103(a) as unpatentable over U.S. Patent No. 5,956,026 to Ratakonda in view of U.S. Patent No. 6,278,736 to De Haan et al. ("De Haan").

35 U.S.C. 103(c) provides that, after November 2000, subject matter in a reference that would otherwise qualify as prior art only under 35 U.S.C. 102(e), (f) or (g) cannot be used in an obviousness rejection under certain, particular circumstances. Specifically, the obviousness rejection is invalid if the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person. To invoke this statute, applicants have filed a CPA.

Claims 1-8 of the instant invention and the subject matter of the De Haan reference were owned by or subject to an obligation of assignment to Philips Electronics at the time the invention was made. Accordingly, pursuant to 35 U.S.C. 103(c), De Haan does not qualify as prior art against claims 1-8.

The rejection is therefore invalid for at least this reason. Reconsideration and withdrawal of the rejection is respectfully requested.

Claim 8 stands rejected under 35 U.S.C. 103(a) as unpatentable over Ratakonda in view of DeHaan and U.S. Patent No. 6,411,724 to Vaithilingam et al. (“Vaithilingam”).

Vaithilingam cannot make up for the deficiencies in Ratakonda. Moreover, Vaithilingam is likewise invalid as prior art against claims 1-8 for at least the same reasons as set forth above regarding De Haan. Accordingly, the rejection is invalid for at least these reasons.

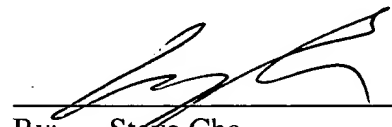
Claims are objected to for their dependency from rejected base claim 1, but are deemed to be patentable over the applied prior art references in view of the above-discussed invalidity of the claim 1 rejection.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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Date: 1/2/04

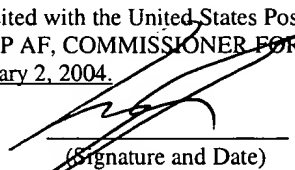

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